

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Jason Quaife, individually and on behalf of  
himself and all others similarly situated,

Plaintiffs,

v.

Brady, Martz & Associates, P.C.,

Defendant.

Case No. 3:23-cv-00176-PDW-ARS

John Hoffer, individually and on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

Brady, Martz & Associates, P.C.,

Defendant.

Case No. 3:23-cv-00177-ARS

Amanda Koffler, individually and on behalf of  
herself and all others similarly situated,

Plaintiff,

v.

Brady, Martz & Associates, P.C.,

Defendant.

Case No. 3:23-cv-00183-PDW-ARS

Alec R. Kiesow, individually and on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

Brady, Martz & Associates, P.C.,

Defendant.

Case No. 3:23-cv-00184-ARS

**PLAINTIFFS' JOINT UNOPPOSED MOTION TO  
CONSOLIDATE PURSUANT TO FED. R. CIV. P. 42(a)**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiffs in the above-captioned cases hereby move for an order:

1. Consolidating *Quaife v. Brady Martz & Associates, P.C.*, No. 3:23-cv-00176-PDW-ARS (“Quaife”) filed on September 15, 2023; *Hoffer v. Brady Martz & Associates, P.C.*, No. 3:23-cv-00177-ARS (“Hoffer”) filed on September 15, 2023; *Koffler v. Brady Martz & Associates, P.C.*, No. 3:23-cv-00183-PDW-ARS (“Koffler”) filed on September 20, 2023; *Kiesow v. Brady Martz & Associates, P.C.*, No. 3:23-cv-00176-PDW-ARS (“Kiesow”) filed on September 22, 2023, as well as any future related actions, under the docket number of the first filed case: No. 3:23-cv-00176-PDW-ARS, and under the title “*In re Brady Martz Data Security Litigation.*”

2. The Motion is based on this Notice of Motion, the accompanying Memorandum of Law, the Proposed Order submitted herewith, and any other matter the Court may wish to consider. Counsel for Defendant Brady Martz & Associates, P.C. has advised Plaintiffs’ Counsel that they do not oppose the instant motion or the briefing schedule to file a Consolidated Complaint as set forth in the Proposed Order.

3. Plaintiffs’ counsel submits that they are not requesting oral argument for this Motion, and that it can be decided on the papers if the Court is inclined.

Dated: October 16, 2023

/s/ Scott Haider  
Scott Haider (ND #07533)  
**SCHNEIDER LAW FIRM**  
815 3rd Ave., S.  
Fargo, ND 58103  
Phone: 701-235-4481

Fax: 701-235-1107  
*scott@schneiderlawfirm.com*

**HELLMUTH & JOHNSON PLLC**

Nathan D. Prosser  
Anne T. Regan\*  
8050 West 78<sup>th</sup> Street  
Edina, MN 55439  
Phone: (952) 941-4005  
*nprosser@hjlawfirm.com*  
*aregan@hjlawfirm.com*

**GUSTAFSON GLUEK PLLC**

Daniel E. Gustafson  
David A. Goodwin\*  
Daniel J. Nordin\*  
Joe E. Nelson\*  
Canadian Pacific Plaza  
120 South 6th Street, Suite 2600  
Minneapolis, MN 55402  
Phone: (612) 333-8844  
*dgustafson@gustafsongluek.com*  
*dgoodwin@gustafsongluek.com*  
*dnordin@gustafsongluek.com*  
*jnelson@gustafsongluek.com*

*Attorneys for Plaintiff Quaiife and the Putative Class*

*/s/ Carl V. Malmstrom*

Carl V. Malmstrom  
**WOLF HALDENSTEIN ADLER FREEMAN &  
HERZ LLC**  
111 W. Jackson Blvd.  
Suite 1700  
Chicago, IL 60604  
Phone: (312) 984-0000  
*malmstrom@whafh.com*

*Attorney for Plaintiff Hoffer and the Putative Class*

/s/ Timothy Q. Purdon

Timothy Q. Purdon (ND#05392)

**ROBINS KAPLAN LLP**

1207 West Divide Avenue, Suite 200

Bismarck, ND 58501

701-255-3000

*tpurdon@robinskaplan.com*

Jennifer W. Sprengel\*

Nickolas J. Hagman\*

Alex Lee\*

**CAFFERTY CLOBES MERIWETHER &  
SPRENGEL, LLP**

135 S. LaSalle, Suite 3210

Chicago, Illinois 60603

Phone: (312) 782-4880

Fax: (312) 782-4485

*jsprengel@caffertyclobes.com*

*nhagman@caffertyclobes.com*

*alee@caffertyclobes.com*

*Attorneys for Plaintiff Koffler and the  
Putative Class*

/s/ Scott Haider

Scott Haider (ND #07533)

**SCHNEIDER LAW OFFICE**

815 3rd Ave., S.

Fargo, ND 58103

Phone: 701-235-4481

Fax: 701-235-1107

*scott@schneiderlawfirm.com*

Bryan L. Bleichner

Philip J. Krzeski

**CHESTNUT CAMBRONNE PA**

100 Washington Avenue South, 1700

Minneapolis, MN 55401

Phone: (612) 339-7300

Fax: (952) 336-2940

*bbleichner@chestnutcambronne.com*

*pkrzeski@chestnutcambronne.com*

*Attorneys for Plaintiff Kiesow and the  
Putative Class*

**CERTIFICATE OF CONCURRENCE**

Undersigned counsel for Plaintiff Quaife hereby certifies that Plaintiffs' counsel has conferred with counsel for Defendant and obtained their concurrence with regard to Plaintiffs' Joint Unopposed Motion to Consolidate Pursuant to Fed. R. Civ. P. 42(a). Defendant's counsel does not oppose the instant motion, or the briefing schedule set forth in the Proposed Order.

I declare pursuant to 28 U.S.C. § 1746 under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: October 16, 2023

By: /s/ Scott Haider  
Scott Haider (ND #07533)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 13th day of October 2023, a true and correct copy of the above and foregoing was filed with the Clerk of the Court via the Court's CM/EC system for electronic service on all counsel of record.

Dated: October 16, 2023

By: /s/ Scott Haider  
Scott Haider (ND #07533)